

been possible to make such a combination, even assuming that it would have been obvious to one skilled in the art to combine Fujimori and Tiedje in the manner suggested by the Examiner and further assuming that such a combination could be made, the result of the combination would not be the subject matter covered by claims 1-15, 21 and 22. Moreover, Nakamura does not cure the deficiencies of the combination of Fujimori and Tiedje, so the combination of Fujimori, Tiedje and Nakamura does not result in the subject matter covered by claims 1-15, 21 and 22. Thus, Applicants request reconsideration and withdrawal of this rejection.

The Examiner rejected claims 23-25 and 27 under 35 U.S.C. §103(a) as being unpatentable over Fujimori in view of Tiedje, alone or further in view of Shinohara. But, as would be readily understood by one skilled in the art, Fujimori's process for making his device would result in a device having a support layer and a semiconductor layer with the same general degree of structure as the substrate. This is consistent, for example, with Fujimori's Figure 1. Thus, making the Examiner's proposed combination of Fujimori and Tiedje would not result in the subject matter covered by claims 23-25 and 27. Further, it would not have been obvious to modify Fujimori and/or Tiedje to provide such subject matter. As a result, without conceding that it would have been obvious to one skilled in the art to combine Fujimori and Tiedje in the manner suggested by the Examiner or that it could have even been possible to make such a combination, even assuming that it would have been obvious to one skilled in the art to combine Fujimori and Tiedje in the manner suggested by the Examiner and further assuming that such a combination could be made, the result of the combination would not be the subject matter covered by claims 23-25 and 27. Shinohara does not cure the deficiencies of the combination of Fujimori and Tiedje, so the combination of Fujimori, Tiedje and Shinohara does not result in the subject matter covered by claims 23-25 and 27. Thus, Applicants request reconsideration and withdrawal of this rejection.

The Examiner rejected claims 16, 17 and 20 under 35 U.S.C. §103(a) as being unpatentable over Fujimori in view of Shinohara. But, as would be readily understood by one skilled in the art, Fujimori's process for making his device would result in a device having a first layer and a semiconductor layer with the same general degree of structure as the substrate. This

is consistent, for example, with Fujimori's Figure 1. Thus, making the Examiner's proposed combination of Fujimori and Shinohara would not result in the subject matter covered by claims 16, 17 and 20. Nor would it have been obvious to modify Fujimori and/or Shinohara to provide such subject matter. Hence, without conceding that it would have been obvious to one skilled in the art to combine Fujimori and Shinohara in the manner suggested by the Examiner or that it could have even been possible to make such a combination, even assuming that it would have been obvious to one skilled in the art to combine Fujimori and Shinohara in the manner suggested by the Examiner and further assuming that such a combination could be made, the result of the combination would not be the subject matter covered by claims 16, 17 and 20. Applicants therefore request reconsideration and withdrawal of this rejection.

The Examiner rejected claims 23-26 under 35 U.S.C. §103(a) as being unpatentable over Fujimori in view of Shinohara, alone or further in view of Tiedje. But, as would be readily understood by one skilled in the art, Fujimori's process for making his device would result in a device having a support layer and a semiconductor layer with the same general degree of structure as the substrate. This is consistent, for example, with Fujimori's Figure 1. Thus, making the Examiner's proposed combination of Fujimori and Shinohara would not result in the subject matter covered by claims 23-26. Moreover, it would not have been obvious to one skilled in the art to modify Fujimori and/or Shinohara to provide such subject matter. Tiedje does not cure the infirmities of the combination of Fujimori and Shinohara. Therefore, the combination of Fujimori, Shinohara and Tiedje does not render obvious the subject matter covered by claims 24-26, and Applicants request reconsideration and withdrawal of this rejection.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 21928-017US1.

Applicant : Christoph Brabec et al.
Serial No. : 10/525,058
Filed : September 6, 2005
Page : 4 of 4

Attorney's Docket No.: 21928-017US1 / SA-16 US

Respectfully submitted,

Date: July 16, 2008

/Sean P. Daley/

Sean P. Daley
Reg. No. 40,978

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945

21970404.doc